

<b>Office Action Summary</b> (For use in the First Action Interview Pilot Program)	Application No.	Applicant(s)	
	10/734,725	JOHNSON ET AL.	
	Examiner	Art Unit	Page 1 of 2
	DAVID E. ENGLAND	2443	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ONE MONTH OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

This time period for reply is extendable under 37 CFR 1.136(a) for only ONE additional MONTH. This communication constitutes notice under 37 CFR 1.136(a)(1)(i).

☐ Applicant's request to not have a first-action interview is acknowledged.

#### Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2009 and interview conducted on 26 January 2009.
- 2) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 3) ☒ Claim(s) 51-70 is/are pending in the application.
- 3a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 4) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 5) ☒ Claim(s) 51-70 is/are rejected.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 7) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 8) ☐ The specification is objected to by the Examiner.
- 9) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 10) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 11) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

#### Contact Information

Examiner's Telephone Number: (571)272-3912  
 Examiner's Typical Work Schedule: Mon-Thur, 7:00-5:00  
 Supervisor's Name: Tonia Dollinger  
 Supervisor's Telephone Number: 571-272-4170

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. <u>01/26/2009</u> .                         |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application  |
| Paper No(s)/Mail Date <u>02/06/2009</u> .  | 6) <input type="checkbox"/> Other: _____.                          |

<i>Office Action Summary</i>				Application No. 10734725		Applicant(s) JOHNSON ET AL.	
				Examiner DAVID E.. ENGLAND		Art Unit 2443	
Notification of Rejection(s) and/or Objection(s)							
#	Claim(s)	Reference(s) (if applicable)	Rejection Statutory Basis	Brief Explanation of Rejection			
1	51	A	102(e)	'A' teaches 51(a-d), (i.e., col. 5, line 35 - col 6, line 40, col. 8, line 41 - col. 9, line 41); (e-f), (i.e., col. 8, line 41 - col. 10, line 55 et seq.).			
2	52, 57, 58	A	102(e)	'A' teaches 52, (i.e., col. 2, line 28 - col. 4, line 20, col. 5, line 35 - col 6, line 40).			
3	53-56, 59-70	A,H	103(a)	'H' teaches 53, (i.e., col. 6, lines 1-56, col. 11, lines 30-50). It is obvious to one of skill in the art because it is known that a sensor would have to convert the information it reads into electronic, con't			

Expanded Discussion/Commentary		
2		'A' teaches 57 and 58, (i.e., col. 8, line 41 - col. 10, line 55 et seq.). Similar to accessing bank information.
3		signals that a computer could read and store in their memory for users to read or modify. Furthermore, 'H' teaches different messaging systems that would have to be converted from one format to another in order for the chosen format to output the information gathered by the sensors.
3		'H' teaches 54-65, (i.e., col. 6, lines 1-56, col. 11, lines 30-50). It is obvious to one of skill in the art for the same reasons stated for claim 53.
3		The teachings for claims 59-70 can be found in the same areas previously cited above and are therefore rejected for those same reasons.
DATE: 2/13/2009		/David E. England/ Examiner, Art Unit 2443